

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
LAND ACQUISITION REFERENCE NO.06 OF 2004

Special Land Acquisition Officer (2)

And

Shri Sudhir Shetty ...Claimant

And

Executive Engineer, Mumbai ...Acquiring
Body

Shri S.I.Calcuttawalla for the SLAO.

Shri J.K.Rele for the Claimant.

CORAM : ABHAY S.OKA, J.
DATED : AUGUST 01, 2007.

P.C.:

1. The learned Advocate for the claimant has placed on record letter dated 02nd February, 2007 addressed to him by the claimant. In the said letter the claimant has stated that he does not wish to proceed with this Reference under section 18 of the Land Acquisition Act, 1894. The claimant has stated that he desires to withdraw the Reference.

2. A reference under section 18 of the Land Acquisition Act, 1894 cannot be permitted to be withdrawn and will have to be decided on merits. The claimant does not desire to prosecute the Reference any further. The burden is on the claimant to lead evidence

and to establish that the compensation offered by the Award under section 11 of the said Act of 1894 is inadequate. In view of the said letter, the claimant does not desire to discharge the burden. Accordingly, Land Acquisition Reference is dismissed. No orders as to costs.

JUDGE